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9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,) CR 08-0911 MHP
14)
15 Plaintiff,) **STIPULATION AND [PROPOSED]**
16 v.) **ORDER EXCLUDING TIME**
17 DEON DOGAN,)
18 Defendant.)
19 _____)

20
21 On May 4, 2009, the parties in this case appeared before the Court for identification of
22 counsel and a detention hearing. The parties stipulated and the Court agreed that time should be
23 excluded from the Speedy Trial Act calculations from May 4, 2009, through June 8, 2009, for
24 effective preparation of defense counsel. The parties represented that granting the continuance
25 would allow the reasonable time necessary for effective preparation of defense counsel, taking
26 into account the exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also
27 agreed that the ends of justice served by granting such a continuance outweighed the best
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STIP. & [PROPOSED] ORDER EXCLUDING TIME
CASE NO. CR 08-0911 MHP

1 interests of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).

2 SO STIPULATED:

3 JOSEPH P. RUSSONIELLO
United States Attorney

4 /s/
5 DATED: May 6, 2009

6 OWEN P. MARTIKAN
Assistant United States Attorney

7 /s/
8 DATED: May 6, 2009

9 RONALD C. TYLER
Attorney for Deon Dogan

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11 **[PROPOSED] ORDER**

12 As the Court found on May 4, 2009, and for the reasons stated above, an exclusion of
13 time from May 4, 2009, through June 8, 2009, is warranted because the ends of justice served by
14 the continuance outweigh the best interests of the public and the defendant in a speedy trial. *See*
15 18 U.S.C. §3161 (h)(7)(A). The failure to grant the requested continuance would deny defense
16 counsel the reasonable time necessary for effective preparation, taking into account the exercise
17 of due diligence, and would result in a miscarriage of justice. *See* 18 U.S.C. §3161(h)(7)(B)(iv).

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19 SO ORDERED.

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21 DATED: 5/11/2009

